

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Dean Kinningham,)	C/A No.: 1:12-439-JMC-SVH
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
Warden Adwell; Greg Livingston, RN)	
Nurse; and GEO Care of South)	
Carolina, Inc.,)	
)	
Defendants.)	
)	


This matter comes before the court on Plaintiff's motions to compel discovery from Defendants. [Entry #70, #73]. Both of Plaintiff's motions request responses to discovery he alleges he served on July 25, 2012. He attaches the requested discovery to one of his motions. [Entry #73-2 at 1–6]. In response, Defendants deny that they received Plaintiff's discovery requests. [Entry #74, #75]. Additionally, Defendants argue that, even if the discovery requests had been mailed on July 25, 2012, they were untimely because the scheduling order required all discovery requests to be served in time for the responses thereto to be served by the August 13, 2012 discovery deadline. *Id.* Finally, Defendants argue that Plaintiff's motion to compel is untimely because it was not filed within 21 days after the discovery was due pursuant to Local Civil Rule 37.01 (D.S.C.). *Id.*

The undersigned construes Plaintiff's motions to compel as including requests for an extension of the discovery deadline and grants such requests for the limited purpose of allowing Defendants time to respond to the discovery attached to Entry #73. Defendants

shall provide answers and/or objections to Plaintiff's discovery requests by March 19, 2013. If Plaintiff is satisfied with Defendants' responses, he may do nothing and his motions to compel will be deemed moot. If Plaintiff believes Defendants' answers are insufficient in some manner, he may file by March 29, 2013, a list of the discovery requests to which he believes Defendants' answer is insufficient and specify as to each why he is entitled to the information requested. Defendants will be given ten days to respond.

Upon resolution of Plaintiff's motions to compel, the undersigned will set a deadline for Plaintiff's response to Defendants' motion for summary judgment.

IT IS SO ORDERED.



February 26, 2013
Columbia, South Carolina

Shiva V. Hodges
United States Magistrate Judge